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OFFICE OF PETITIONS

In re Application of	:	
DUNSTAN et al	:	
Application No.: 09/389,782	:	DECISION ON PETITION
Filing Date: September 3, 1999	:	UNDER 37 CFR 1.137(B)
Attorney Docket No.: A-604	:	

This is a decision on the petition under 37 CFR 1.137(b), filed November 29, 2006, to revive the above-identified application.

The petition is **GRANTED**.

The 2-month period for filing the appeal brief under 37 CFR 41.37(a)(1), accompanied by the fee set forth in 37 CFR 41.20(b)(2), runs from the date of this decision.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed December 5, 2005, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, by operation of law, the above-identified application became abandoned on March 6, 2006.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of a notice of appeal and the requisite fee; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the final Office action mailed December 5, 2005 is accepted as having been unintentionally delayed.

This application is being referred to Technology Center AU 1643.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3303.

Bryan Lin

Bryan Lin
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Office of the Deputy Commissioner
for Patent Examination Policy